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In re Application of  
Lubock, et al.  
Application No. 09/916,937  
Filed: July 21, 2001  
Attorney Docket No. R0367-02600  
For: DILATION DEVICES AND METHODS FOR  
REMOVING TISSUE SPECIMENS

ON PETITION

This is a decision on the petition under 37 CFR 1.182, filed July 21, 2004, to delete a claim of priority.

The petition under 37 CFR 1.182 is **DISMISSED AS MOOT**. No petition fee has been charged.

Applicants have timely filed a RCE. Finality has been withdrawn. MPEP 201.11 Section G *Deleting Benefit Claims* states that "...applicants may cancel their claim to priority by amending the specification or submitting a new application data sheet (no supplemental declaration is necessary) to delete any references to prior application."

The application file will be forwarded to the examiner of record in Technology Center GAU 3736 for consideration of the RCE, amendment, and IDS filed on July 21, 2004. The examiner will consider whether any new prior art may now be available.

Telephone inquiries pertaining to this matter may be directed to the undersigned at (571) 272-3230.

E. Shirene Willis  
Senior Petitions Attorney  
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for Patent Examination Policy